

# Exhibit 25

MICHAEL REED  
KEITH FISCHER v GEICO

January 08, 2025  
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<p>1</p> <p>2 IN THE UNITED STATES DISTRICT COURT</p> <p>3 FOR THE EASTERN DISTRICT OF NEW YORK</p> <p>4 - - - - - )</p> <p>5 KEITH FISCHER, MICHAEL O'SULLIVAN, )</p> <p>6 JOHN MOESER, LOUIS PIA, THOMAS ) Case No.:</p> <p>7 BARDEN, CONSTANCE MANGAN, and ) 2:23 Civ. 2848</p> <p>8 CHARISE JONES, individually and ) (GRB) (ARL)</p> <p>9 on behalf of all others similarly )</p> <p>10 situated, )</p> <p>11 Plaintiffs, )</p> <p>12 - v - )</p> <p>13 GOVERNMENT EMPLOYEES INSURANCE )</p> <p>14 COMPANY d/b/a GEICO, )</p> <p>15 Defendant. )</p> <p>16 - - - - - )</p> <p>17</p> <p>18 REMOTE VIDEOTAPED DEPOSITION OF MICHAEL REED</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23 Reported by:</p> <p>24 Kim M. Brantley</p> <p>25 Job No: J12200420</p>	<p>1 MICHAEL REED</p> <p>2 APPEARANCES CONTINUED:</p> <p>3 On behalf of the Defendant GEICO:</p> <p>4 DUANE MORRIS, LLP</p> <p>5 190 South LaSalle Street - Suite 3700</p> <p>6 Chicago, Illinois 60603</p> <p>7 (312) 499-0198</p> <p>8 Email: tealberty@duanemorris.com</p> <p>9 BY: TIFFANY ALBERTY, ESQUIRE</p> <p>10</p> <p>11 ALSO PRESENT:</p> <p>12 ROBERT PACHECO, Legal Video Specialist</p> <p>13 Esquire Deposition Solutions</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
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<p>1 MICHAEL REED</p> <p>2 Wednesday, January 8, 2025</p> <p>3</p> <p>4 Remote videotaped deposition of MICHAEL REED,</p> <p>5 held via Zoom, before Kim M. Brantley, Court</p> <p>6 Reporter and Notary Public of the State of New</p> <p>7 York.</p> <p>8</p> <p>9 APPEARANCES:</p> <p>10 On behalf of the Plaintiffs:</p> <p>11 OUTTEN &amp; GOLDEN, LLP</p> <p>12 685 Third Avenue - 25th Floor</p> <p>13 New York, NY, 10017</p> <p>14 (212) 245-1000</p> <p>15 Email: jmcallister@outtengolden.com</p> <p>16 sjean@outtengolden.com</p> <p>17 BY: JARRON D. MCALLISTER, ESQUIRE</p> <p>18 SABINE JEAN, ESQUIRE</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 MICHAEL REED</p> <p>2 P R O C E E D I N G S</p> <p>3 THE LEGAL VIDEO SPECIALIST: We are now</p> <p>4 on the video record. Today's date is January the</p> <p>5 8th, 2025. The time is 10:03 a.m., Eastern</p> <p>6 Standard Time. This begins the videoconference</p> <p>7 deposition of Mr. Michael Reed in the matter of --</p> <p>8 in the matter of Keith Fischer, et al., Plaintiff,</p> <p>9 vs. Government Employees Insurance Company, doing</p> <p>10 business as GEICO, Defendant, to be heard in the</p> <p>11 United States District Court for the Eastern</p> <p>12 District of New York, case number 2232848.</p> <p>13 My name is Robert Pacheco. I am the</p> <p>14 remote videographer. Your court reporter today is</p> <p>15 going to be Miss Kim Brantley, both representing</p> <p>16 Esquire Deposition Solutions.</p> <p>17 Would counsel please introduce</p> <p>18 yourselves and your affiliation, and the witness</p> <p>19 will be sworn in.</p> <p>20 MR. MCALLISTER: Good morning. My name</p> <p>21 is Jarron McAllister. I'm an attorney at</p> <p>22 Outten &amp; Golden, and I'm here with my</p> <p>23 colleague, Sabine Jean.</p> <p>24 MS. ALBERTY: And Tiffany Alberty on</p> <p>25 behalf of the defendant, GEICO.</p>

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<p style="text-align: right;">Page 29</p> <p>1 MICHAEL REED</p> <p>2 stress related, I was taking extra time off</p> <p>3 because of the amount of work and what was going</p> <p>4 on with the company, itself. I was a --</p> <p>5 sixty-three years old at that time, and I decided</p> <p>6 it was time just to retire or resign from the</p> <p>7 company.</p> <p>8 Q. Going back to one of the answers that</p> <p>9 you provided, FMLA, were you on FMLA up and until</p> <p>10 you provided your notice and then retired?</p> <p>11 A. Just for the prior -- for the last --</p> <p>12 the last month of my employment with GEICO. That</p> <p>13 was it.</p> <p>14 And that FMLA was filed because I had</p> <p>15 taken what they deemed my maximum number of six</p> <p>16 days for the year, which was ten, and I was taking</p> <p>17 some extra sick time, so I was required to become</p> <p>18 FMLA, as they phrased it, so I could use my sick</p> <p>19 time when I wasn't feeling well.</p> <p>20 Q. Okay. When -- strike that.</p> <p>21 From 2016 to your retirement, from your</p> <p>22 recollection how many times did you apply for FMLA</p> <p>23 with GEICO?</p> <p>24 A. That was the only time.</p> <p>25 Q. And when you had applied for FMLA with</p>	<p style="text-align: right;">Page 31</p> <p>1 MICHAEL REED</p> <p>2 Q. There's different levels of special</p> <p>3 investigators. Do you recall the level that you</p> <p>4 were?</p> <p>5 A. I was a sixty-five.</p> <p>6 Q. Have you ever been a sixty-six?</p> <p>7 A. No.</p> <p>8 Q. And throughout your tenure from 2005 to</p> <p>9 2023, were you always a level sixty-five?</p> <p>10 A. Yes, I was.</p> <p>11 Q. What were your duties and</p> <p>12 responsibilities as a senior field security</p> <p>13 investigator?</p> <p>14 A. My responsibilities were to receive</p> <p>15 cases from intake. I would receive the case, and</p> <p>16 I would go ahead and work the case to its</p> <p>17 entirety, and then file the end of the case and</p> <p>18 the findings of the claims examiner.</p> <p>19 Would you like me to go through each</p> <p>20 step of when I received the case, or just?</p> <p>21 Q. Sure. What we'll do is we'll break</p> <p>22 that apart.</p> <p>23 So I think you provided three different</p> <p>24 prongs, which is received the case for intake,</p> <p>25 work the case to entirety, and then findings to</p>
<p style="text-align: right;">Page 30</p> <p>1 MICHAEL REED</p> <p>2 GEICO, was everything approved?</p> <p>3 A. Yes.</p> <p>4 Q. Were you assigned to a specific person</p> <p>5 to assist you with your FMLA processing?</p> <p>6 A. It was through the human resources with</p> <p>7 GEICO. I don't recall the name of the human</p> <p>8 resource person that I spoke with.</p> <p>9 Q. Okay. And there were no issues</p> <p>10 whatsoever with your FMLA processing and granting.</p> <p>11 Is that right?</p> <p>12 A. Not at all, not at all.</p> <p>13 MR. MCALLISTER: Objection.</p> <p>14 BY MS. ALBERTY:</p> <p>15 Q. While you were with GEICO -- and let's</p> <p>16 say the entirety, 2005 to 2023 -- did you ever</p> <p>17 hold the title senior payment recovery examiner?</p> <p>18 A. No.</p> <p>19 Q. With your title specifically you</p> <p>20 indicated you were a senior security investigator.</p> <p>21 Do you know about if that was a senior</p> <p>22 outside security investigator, or a senior field</p> <p>23 security investigator?</p> <p>24 A. The exact title I don't know. I was a</p> <p>25 field investigator, though.</p>	<p style="text-align: right;">Page 32</p> <p>1 MICHAEL REED</p> <p>2 the claims examiner.</p> <p>3 So, once you would receive the case for</p> <p>4 intake, what were some of the other</p> <p>5 responsibilities and duties that you had?</p> <p>6 A. Okay, when I received the case from</p> <p>7 intake via email, I would go ahead and go into the</p> <p>8 claim itself with the claim number. That case</p> <p>9 would come through the -- through email. I would</p> <p>10 then go into the SICM, or the case file management</p> <p>11 with GEICO, look at the concerns that the intake</p> <p>12 had posted, take that claim number, go into the</p> <p>13 claim, itself. I would review the claim in its</p> <p>14 entirety. I would document the persons involved</p> <p>15 in that claim, and I would go ahead and start at</p> <p>16 that point also formulating a Word document for</p> <p>17 the case, itself...</p> <p>18 All of the persons involved in that</p> <p>19 came I would go ahead and enter into SICM</p> <p>20 individually, into the person's tab with all of</p> <p>21 their information. I would take all of those</p> <p>22 persons and again also put them into the SICM</p> <p>23 document...</p> <p>24 I would formulate a plan of action at</p> <p>25 that time as to what the specific concerns were of</p>

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<p style="text-align: right;">Page 33</p> <p>1 MICHAEL REED</p> <p>2 the examiner, and how I was going to approach or</p> <p>3 investigate that case.</p> <p>4 I would contact the examiner to find</p> <p>5 out again from the examiner, either by email or by</p> <p>6 phone, find out what their specific concerns were</p> <p>7 in regards to the claim and what their suspicions</p> <p>8 were in regards to any insurance fraud...</p> <p>9 Once I formulated all of that, I would</p> <p>10 then do background investigations, personal</p> <p>11 background investigations on each person involved</p> <p>12 in the claim, any witnesses in the claim,</p> <p>13 occupants, passengers, drivers, so forth. All of</p> <p>14 those background investigations were done...</p> <p>15 I would then do a background</p> <p>16 investigation on the vehicles involved; background</p> <p>17 investigations or prior insurance claims again on</p> <p>18 all of those persons involved through NICB, or</p> <p>19 what's known as ISO...</p> <p>20 I would run all of those persons and</p> <p>21 vehicles through ISO; document all of that</p> <p>22 information in my Word document, document all that</p> <p>23 information into SICM. It all had to be</p> <p>24 summarized and placed into different categories</p> <p>25 into the SICM report...</p>	<p style="text-align: right;">Page 35</p> <p>1 MICHAEL REED</p> <p>2 investigation with the claims examiner to keep</p> <p>3 them updated on what progress was being, you know,</p> <p>4 done...</p> <p>5 Along with all -- entering all of this</p> <p>6 in the SICM, I was also -- had a Word document</p> <p>7 that the Word document was basically my case file</p> <p>8 in regards to the claim, to keep that Word</p> <p>9 document updated with all of the information, and</p> <p>10 all of that information at the end of the</p> <p>11 investigation was discussed with the claims</p> <p>12 examiner...</p> <p>13 The claims examiner would determine</p> <p>14 whether or not there was enough information at</p> <p>15 that point. There was also cases where we decided</p> <p>16 at that point that examination under oath, or</p> <p>17 EUOs, were needed to be conducted of any parties</p> <p>18 involved, and if EUOs were needed or conducted, I</p> <p>19 would go ahead and schedule those and conduct</p> <p>20 those EUOs...</p> <p>21 Again, after the EUOs, summarize all of</p> <p>22 them, contact the claims examiner, and go ahead</p> <p>23 and conclude my investigation based on the</p> <p>24 information that I had...</p> <p>25 If any referrals were required to</p>
<p style="text-align: right;">Page 34</p> <p>1 MICHAEL REED</p> <p>2 At that point I would determine</p> <p>3 interviews that needed to be conducted and who</p> <p>4 needed to be interviewed, whether it was in person</p> <p>5 or by phone. I would start scheduling those</p> <p>6 interviews with those persons, once again either</p> <p>7 by phone or in person...</p> <p>8 I would go ahead and determine if there</p> <p>9 was any witnesses that needed to be found or tried</p> <p>10 to be contacted...</p> <p>11 I would do a scene canvas of where the</p> <p>12 incident occurred if possible...</p> <p>13 I would go ahead and see if there was</p> <p>14 any police reports or law enforcement reports in</p> <p>15 regards to the claim, itself...</p> <p>16 If that police report or law</p> <p>17 enforcement report was not in the claim file,</p> <p>18 which it very seldom was, I would then go ahead</p> <p>19 and go to or contact that law enforcement agency</p> <p>20 and obtain a copy of that police report or</p> <p>21 incident report, whatever it would be, in regards</p> <p>22 to the claim or the incident; conduct the</p> <p>23 interviews with all the persons involved;</p> <p>24 summarize all of those statements; speak again</p> <p>25 throughout the claim and throughout my</p>	<p style="text-align: right;">Page 36</p> <p>1 MICHAEL REED</p> <p>2 either the New York State Department of Insurance</p> <p>3 Fraud Bureau, which is now known as something</p> <p>4 different, or I would refer any of those cases or</p> <p>5 claims over to NICB, the National Insurance Crime</p> <p>6 Bureau, and there may be further investigation</p> <p>7 through the fraud bureau with New York State or</p> <p>8 with NICB.</p> <p>9 Q. With -- and thank you. That was a</p> <p>10 mouthful.</p> <p>11 With regard to the claims examiner with</p> <p>12 your initial step of formulating your plan of</p> <p>13 action, did the claims examiner ever tell you what</p> <p>14 to do?</p> <p>15 A. The claims examiner did not tell me how</p> <p>16 to run my investigation, no.</p> <p>17 They would -- they would possibly</p> <p>18 suggest, or they may have a specific concern, but</p> <p>19 my investigation was primarily my investigation.</p> <p>20 Q. With regard to making a decision as to</p> <p>21 if you found a basis for insurance fraud or you</p> <p>22 did not, was that a determination you made?</p> <p>23 A. I would give them the determination</p> <p>24 that I felt -- or once again that determination of</p> <p>25 whether or not that claim was moved forward or</p>

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<p style="text-align: right;">Page 37</p> <p>1 MICHAEL REED</p> <p>2 paid was determined by the claims examiner in the</p> <p>3 RLA, or what's known as a regional liability</p> <p>4 adjustor. They were the ones that made that</p> <p>5 determination.</p> <p>6 Q. And I guess in theory would you then</p> <p>7 make your recommendation, and then the claims</p> <p>8 examiner would render the decision?</p> <p>9 A. Yeah, the decision was that I did not</p> <p>10 handle that part of the claim, no.</p> <p>11 Q. What were your scheduled weekly hours</p> <p>12 again from that 2016 to 2023 time frame?</p> <p>13 A. 7:00 a.m. to 3:30 p.m., or 8:00 to 4:30</p> <p>14 p.m.</p> <p>15 Q. Did you have a preferred schedule,</p> <p>16 meaning the 7:00 a.m. or the 8:00 a.m.?</p> <p>17 A. The preferred was the 7:00 a.m. to</p> <p>18 3:30.</p> <p>19 Q. Between that time frame in 2016 to</p> <p>20 2023, did that schedule change at all, meaning the</p> <p>21 7:00 a.m. time or the 8:00 a.m. time?</p> <p>22 A. By -- I did not change that frame.</p> <p>23 That was my preferred time.</p> <p>24 Q. From 2016 to your resignation, do you</p> <p>25 recall who your supervisor was?</p>	<p style="text-align: right;">Page 39</p> <p>1 MICHAEL REED</p> <p>2 Q. Okay. And what, to your recollection,</p> <p>3 what did that mean?</p> <p>4 A. That meant that you could flex your</p> <p>5 hours if needed, however that flex was never --</p> <p>6 never applicable to what we did.</p> <p>7 Q. What do you mean by that?</p> <p>8 A. It means that at 7:00 a.m., I was</p> <p>9 receiving cases right off the bat at 7:00 o'clock</p> <p>10 or prior to 7:00 a.m. In those cases I had to get</p> <p>11 up, get on the computer, and get working on all of</p> <p>12 those cases. There was no flexibility on their</p> <p>13 end. The cases continued to come in all day.</p> <p>14 So I still had to work 7:00 a.m. to</p> <p>15 3:00 p.m., 3:30, but yet continue to work</p> <p>16 afterwards to catch up on all the cases that I</p> <p>17 received during the day.</p> <p>18 Q. Did anyone tell you how to arrange your</p> <p>19 flex time?</p> <p>20 A. No.</p> <p>21 Q. Were you -- strike that.</p> <p>22 Did you have the flexibility to work</p> <p>23 before 7:00 a.m.?</p> <p>24 A. Did I have the flexibility?</p> <p>25 Q. Yes.</p>
<p style="text-align: right;">Page 38</p> <p>1 MICHAEL REED</p> <p>2 A. I started out working for a gentleman</p> <p>3 by the name of Anthony or Tony Mazziotti. He was</p> <p>4 my direct supervisor; then I worked for Chester or</p> <p>5 Chet Janik, and when I left the company I was</p> <p>6 working for Toni D'Agata.</p> <p>7 Q. And from 2016 to 2023, who was your</p> <p>8 manager?</p> <p>9 A. There was a Michael DeGrocco and a</p> <p>10 William Newport were the last two managers that I</p> <p>11 had. Prior to that it might have been Sharyl</p> <p>12 Derenthal, but once again I don't recall the</p> <p>13 exact -- I know the last two.</p> <p>14 Q. Did you ever work in the office?</p> <p>15 A. No, I did not.</p> <p>16 Q. And did you ever have an inside role,</p> <p>17 or were you predominantly in the field?</p> <p>18 A. It was all field.</p> <p>19 Q. So it's fair to say you did not have a</p> <p>20 desk role?</p> <p>21 A. No, I did not. I -- I'm all the way</p> <p>22 over in Buffalo. In region two, I was -- I was</p> <p>23 down in Long Island.</p> <p>24 Q. Did you have flex time?</p> <p>25 A. They called it "flex time," yes.</p>	<p style="text-align: right;">Page 40</p> <p>1 MICHAEL REED</p> <p>2 A. 7:00 a.m. was what they considered my</p> <p>3 start time, but if needed to do extra case work, I</p> <p>4 would work before 7:00 a.m., yes.</p> <p>5 Q. From 2016 to 2023 were you assigned to</p> <p>6 a specific I want to say type of claim or team to</p> <p>7 investigate claims?</p> <p>8 A. No, I was not. No, I was not.</p> <p>9 Q. And what I mean by "team," do you</p> <p>10 understand that there were various types of teams</p> <p>11 within the New York region that others were</p> <p>12 involved in? Excuse me.</p> <p>13 A. Yes, I know there were teams, but being</p> <p>14 one of only two field investigators, often the</p> <p>15 area that I was at I was handling all types of</p> <p>16 claims. I was not part of any team.</p> <p>17 Q. Who was the other person that was</p> <p>18 working with you in the field at that time?</p> <p>19 A. Mike Grey was out here also.</p> <p>20 Q. For the intake where you would receive</p> <p>21 cases, was there a specific intake person that was</p> <p>22 assigned to you?</p> <p>23 A. No. There was just intake for region</p> <p>24 two, and you would receive a case for whoever was</p> <p>25 working the intake desk that day.</p>

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<p style="text-align: right;">Page 77</p> <p>1 MICHAEL REED</p> <p>2 of GEICO that you were to follow the policies</p> <p>3 outlined in your specific position such as here</p> <p>4 forthwith the requirement to accurately record</p> <p>5 your hours?</p> <p>6 A. I'm sorry. What was your question?</p> <p>7 Q. Sure. So, was it the expectation as a</p> <p>8 GEICO employee, you were to follow the policies</p> <p>9 outlined in the associate handbook such as the</p> <p>10 ones to accurately record your hours?</p> <p>11 A. The expectation for that? There is an</p> <p>12 expectation, but the reality is you still have to</p> <p>13 get your work done. So.</p> <p>14 With the amount of work that was coming</p> <p>15 in, that was not feasible. We had to work the</p> <p>16 hours because the case life, the overload, and the</p> <p>17 log, and the amount of cases.</p> <p>18 Q. Was it your understanding that you</p> <p>19 needed to adequately record your hours?</p> <p>20 A. The 38.75 was recorded, but there was</p> <p>21 hours, many hours after that that were worked</p> <p>22 because of the amount of cases and the case life</p> <p>23 that we were under the microscope for, with your</p> <p>24 supervisor looking through your cases, wanting to</p> <p>25 know why the cases weren't closed, and those cases</p>	<p style="text-align: right;">Page 79</p> <p>1 MICHAEL REED</p> <p>2 or you're going to be losing money at the end of</p> <p>3 the year because your rating and your report card</p> <p>4 was bad, or are you going to work on your own to</p> <p>5 get those cases caught up and get those cases</p> <p>6 done? And that's --</p> <p>7 Q. You --</p> <p>8 A. -- that's what was done.</p> <p>9 Q. You said that "they," "they said three</p> <p>10 hours." Who is "they"?</p> <p>11 A. That was a GEICO -- one of their -- and</p> <p>12 I -- once again, I can't produce the document, but</p> <p>13 that was what the -- the thought was of GEICO that</p> <p>14 that should take you two to three hours to set up</p> <p>15 your initial case.</p> <p>16 Q. As far as when you say "they," you</p> <p>17 indicate GEICO. Is that right?</p> <p>18 A. That's correct. GEICO and -- which</p> <p>19 would have been the SIU directors, the SIU</p> <p>20 management.</p> <p>21 Q. Was that ever written in a policy that</p> <p>22 you recall seeing?</p> <p>23 A. I don't remember seeing it in a policy,</p> <p>24 but then I didn't see all of the SIU management</p> <p>25 policies.</p>
<p style="text-align: right;">Page 78</p> <p>1 MICHAEL REED</p> <p>2 had to be worked.</p> <p>3 Q. But was it your understanding that you</p> <p>4 needed to record your hours accurately?</p> <p>5 A. The 38.75 was what was recorded.</p> <p>6 That's correct. The extra hours, that was not --</p> <p>7 if you want to use the frame -- up for discussion</p> <p>8 with the supervisor. There was no overtime, but</p> <p>9 the amount of cases you had, there was no way that</p> <p>10 you could not get that work done within that</p> <p>11 timeframe.</p> <p>12 Their -- their -- their thought was</p> <p>13 three hours to set up a case. That would include</p> <p>14 the backgrounds, all of the setting up of the Word</p> <p>15 document, and all of that information through</p> <p>16 SICM. The initial of getting the case, that's</p> <p>17 before any statements, interview, anything done,</p> <p>18 was three hours.</p> <p>19 So, at eighteen cases per week -- you</p> <p>20 could do you the math -- you're already over</p> <p>21 38.75.</p> <p>22 So, the question is, do you want to</p> <p>23 just stick to that and let your cases linger where</p> <p>24 you're going to be put on a coaching plan, or</p> <p>25 you're going to be put into the fourth quartile,</p>	<p style="text-align: right;">Page 80</p> <p>1 MICHAEL REED</p> <p>2 Q. Was there an intranet with which you</p> <p>3 can receive all of your GEICO policies as it was</p> <p>4 applicable to you as a special outside</p> <p>5 investigator?</p> <p>6 A. You could go into the GEICO website.</p> <p>7 That's correct, for employees.</p> <p>8 Q. Okay. So you had the accessibility to</p> <p>9 see the various policies that were implemented for</p> <p>10 your position and your role, right?</p> <p>11 A. Yes.</p> <p>12 Q. With regard to the policy that's in</p> <p>13 front of you where it states, "All nonexempt</p> <p>14 associates are required to accurately report their</p> <p>15 hours worked," do you see any carveout there for a</p> <p>16 differentiation of the standard 38.75 for</p> <p>17 overtime?</p> <p>18 A. And what exactly do you mean by that?</p> <p>19 Q. Sure. So I believe your testimony was</p> <p>20 that you were to accurately record our 38.75 and</p> <p>21 not OT, but there is nowhere in this policy that</p> <p>22 it carves out those specific limitations as you</p> <p>23 just stated, right?</p> <p>24 A. To work overtime?</p> <p>25 Q. Yes.</p>

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2 because it was just not -- it was not something we

3 do, and it was frowned upon to put any overtime

4 in.

5 So we just continued to work and do the

6 hours, and do the cases that needed to be done,

7 and the hours that they needed to be done.

8 Q. Is it fair to say that in paragraph

9 eight these are more general statements because

10 it's only based off your experience and you don't

11 know what other people were inputting either

12 overtime or what their pay increases were or

13 their -- their evaluation processes?

14 A. Yeah, I have no knowledge of any other

15 investigator except myself.

16 Q. I'm going to go to number nine

17 paragraph.

18 Did you need -- sorry, did you need a

19 second, Michael, or you're okay?

20 A. No, I'm good.

21 Q. Okay. Okay, so number nine, it says,

22 "My regular schedule for GEICO was either 8:00

23 a.m. to 4:30 p.m., or 7:00 a.m. to 3:30 p.m."

24 "I received case assignments as early

25 as 7:00 to ensure I was able to meet activity

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2 metrics for my cases.

3 "I had to interact with these

4 assignments early in the morning. I regularly

5 worked approximately two additional hours each day

6 in order to address case files I received on the

7 road maintaining the case life for my other cases

8 and to meet guidelines set by GEICO.

9 "I regularly did not take a lunch

10 break. I worked about 52.5 hours per week on

11 average."

12 I believe I read that correct. Is that

13 right?

14 A. You did read it correct, yes.

15 Q. Okay. With regard to number nine, what

16 time period is this in reference to?

17 A. Years wise?

18 Q. Yes.

19 A. That would be probably at least 2015,

20 2016 until I left.

21 Q. Okay. And I think you said in your

22 custom and practice you would typically work that

23 7:00 a.m. to 3:30 p.m. timeframe?

24 A. Correct.

25 Q. How often do you allege you worked

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2 through your lunch breaks on average every week?

3 A. There was no lunch break. There was no

4 specific lunch break.

5 Q. I want to circle back real quick.

6 When we were talking about weekly

7 report cards, monthly report cards, end-of-year

8 evaluation, all on a rating scale of one to five,

9 in -- in assessing what the breakdown would be --

10 for example, the number of cases worked as you

11 state would be a number included on your

12 end-of-year evaluation, and that would dictate the

13 line of the one to five -- what were the actual

14 number of cases that would fall into the

15 one-to-five category?

16 A. When -- when I left, excuse me, to get

17 a five you had to have worked at least twenty-five

18 to thirty cases per week --

19 Q. And when you say "worked," is that --

20 A. Excuse me, twenty-five to thirty per

21 month.

22 Q. Sorry --

23 A. It's okay.

24 Q. -- to interrupt you.

25 A. No worries.

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2 Q. When you say to work twenty-five to

3 thirty cases per week or per month, is that

4 meaning a touch point on the case?

5 A. You had to go into your case every --

6 minimum was every four days or five days you had

7 to be in those cases or you had to be in the case

8 every day.

9 Everything had a timeframe to it.

10 Backgrounds -- once you got the case, you had

11 twenty-four hours to set up the case. Background

12 investigations had to be done with a certain other

13 time frame. You had to contract the insured

14 within another time frame. You had to contact the

15 examiner with another time frame. All of the --

16 and all of the entries into SICM had different

17 time frames attached to them.

18 So you had to keep up on your cases.

19 You had to currently work your cases, naturally

20 touch the case almost every day just to see if

21 there were any updates. That also included going

22 back into the claim file to see if there was any

23 updates in the claim file that the examiner failed

24 to notify you of.

25 Q. Would that time frame be conditional

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<p style="text-align: right;">Page 157</p> <p>1 MICHAEL REED</p> <p>2 there was time frames attached to all of</p> <p>3 them.</p> <p>4 BY MS. ALBERTY:</p> <p>5 Q. And as far as the time frame itself,</p> <p>6 what then was that for the initial setup?</p> <p>7 A. Twenty-four hours for the initial</p> <p>8 setup, the backgrounds; twenty-four hours to</p> <p>9 contact the examiner; background investigations...</p> <p>10 all of that was within the twenty-four hours, and</p> <p>11 it all had to be conducted, and then there was</p> <p>12 time frames after that for contacting others; it</p> <p>13 would be the witnesses and so forth.</p> <p>14 But all of that was involved in your</p> <p>15 case, and if you did not meet those timelines,</p> <p>16 your case would fail. And if your case failed,</p> <p>17 obviously that would go about against your report</p> <p>18 card and of course against your evaluation,</p> <p>19 because you had a case that failed.</p> <p>20 Q. So the -- so again the question was the</p> <p>21 time consideration. So, you said twenty-four, and</p> <p>22 then I can't tell if you said it was an additional</p> <p>23 twenty-four hours, and then you said another time</p> <p>24 consideration.</p> <p>25 What is the actual time consideration</p>	<p style="text-align: right;">Page 159</p> <p>1 MICHAEL REED</p> <p>2 THE WITNESS: There was -- there was</p> <p>3 items -- there was other items that would</p> <p>4 keep you in that first to third rating, but</p> <p>5 time frame, time and process, case life, case</p> <p>6 closure, all of that is what you had to</p> <p>7 maintain with those cases to stay out of that</p> <p>8 dreaded fourth quartile.</p> <p>9 BY MS. ALBERTY:</p> <p>10 Q. Were you required to make a daily entry</p> <p>11 in each one of your cases?</p> <p>12 A. I'm trying to recall. I know that you</p> <p>13 had to touch the case at least every four days. I</p> <p>14 believe it was four or five days that you had to</p> <p>15 at least go into the case every four or five days.</p> <p>16 Now that would be sometimes if you --</p> <p>17 you got your initial case, you got everything done</p> <p>18 on say Monday, and everything was completed, but</p> <p>19 you talked to the attorney, and the attorney's not</p> <p>20 available until the following week, you had to</p> <p>21 just note within that first week that you reviewed</p> <p>22 the claim file and that you reviewed the case.</p> <p>23 But in the case it would say that your interview</p> <p>24 was set for the following week with the attorney.</p> <p>25 So there was some variables on that</p>
<p style="text-align: right;">Page 158</p> <p>1 MICHAEL REED</p> <p>2 in order to keep you between the first and third</p> <p>3 place ranking?</p> <p>4 A. Each item that you entered into SICM</p> <p>5 had a time frame attached to it: Twenty-four hours</p> <p>6 to set up your additional case, do your</p> <p>7 backgrounds; then you had an additional</p> <p>8 twenty-four hours for time -- from the time -- and</p> <p>9 I'm just going off from what I can recall, because</p> <p>10 it's been a while -- to contact the insured; you</p> <p>11 had to contact the claims examiner within</p> <p>12 twenty-four hours; you had to have all of your</p> <p>13 initial plan of action and your report all done</p> <p>14 into SICM under that plan of action and all of</p> <p>15 those items added, most of within the first</p> <p>16 twenty-four hours of receiving that case.</p> <p>17 Q. Okay, so you said twenty-four plus</p> <p>18 twenty-four. So again, is it twenty-four and</p> <p>19 forty-eight hours, or is it twenty-four only?</p> <p>20 A. Twenty-four. I'm sorry I confused you.</p> <p>21 Q. That's okay.</p> <p>22 And is it your testimony that the</p> <p>23 twenty-four allocation of time is what would keep</p> <p>24 you in the first to third rating?</p> <p>25 MR. MCALLISTER: Objection.</p>	<p style="text-align: right;">Page 160</p> <p>1 MICHAEL REED</p> <p>2 time frame, because not all witnesses are</p> <p>3 available within twenty-four hours or within a</p> <p>4 couple days, and especially with attorneys, and if</p> <p>5 you have four or five cases, you've already got</p> <p>6 people scheduled for interviews when you're</p> <p>7 getting those additional cases, so it's all pushed</p> <p>8 out.</p> <p>9 Q. So then it appears that you have to</p> <p>10 touch the case every four to five days to keep you</p> <p>11 in good standing?</p> <p>12 Does that sound right?</p> <p>13 A. That would be correct.</p> <p>14 Q. All right. And how many days were you</p> <p>15 provided to close a case to stay in good standing,</p> <p>16 so that one to third rating?</p> <p>17 A. You had to maintain a constant flow of</p> <p>18 the case to close it out. That's what they looked</p> <p>19 at. The case could not sit for days while you did</p> <p>20 nothing in it before you closed it out.</p> <p>21 Certain cases, obviously they felt that</p> <p>22 cases could be closed quicker than other cases.</p> <p>23 So a theft case may take longer than just to</p> <p>24 verify the date of loss or pick up a police</p> <p>25 report, but a PIP case or a bodily injury claim</p>

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1 MICHAEL REED  
2 ACKNOWLEDGEMENT OF WITNESS  
3 I, MICHAEL REED, do hereby acknowledge  
4 that I have read and examined the foregoing  
5 testimony, and the same is a true, correct and  
6 complete transcription of the testimony given by  
7 me, and any corrections appear on the attached  
8 Errata sheet signed by me.

9 \_\_\_\_\_  
10 (DATE) (SIGNATURE)  
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1  
2 C E R T I F I C A T E  
3 STATE OF NEW YORK )  
4 : Ss.  
5 COUNTY OF NEW YORK )  
6 I, Kim M. Brantley, Shorthand  
7 Reporter, and Notary Public within and for the  
8 State of New York, do hereby certify:  
9 That MICHAEL REED, the witness whose  
10 deposition is hereinbefore set forth, was duly  
11 sworn by me and that such deposition is a true  
12 record of the testimony given by the witness.  
13 I further certify that I am not related  
14 to any of the parties to this action by blood or  
15 marriage, and that I am in no way interested in  
16 the outcome of this matter.  
17 IN WITNESS WHEREOF, I have hereunto set  
18 my hand this 20th day of January, 2025.  
19 *Kim M. Brantley*  
20 \_\_\_\_\_  
21 Kim M. Brantley  
22  
23  
24 My Commission expires May 31, 2026.  
25